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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,699	03/23/2001	Shell S. Simpson	10008091-1	5921

7590 09/28/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

GARCIA, GABRIEL I

ART UNIT PAPER NUMBER

2624

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/816,699	SIMPSON ET AL.	
	Examiner	Art Unit	
	Gabriel I. Garcia	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Part III DETAILED ACTION

1. This application has been examined. Claims 1-17 are pending in this application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz et al. (2001/0053947 A1) in view of Streefkerk et al. (6,058,277).

With regard to claim 1, Lenz et al teaches a method for print job time estimating (e.g. [0024] , and claim 8), wherein said method is comprised of the steps selecting a document to be printed (e.g. [0015]. The selecting of an identification card); selecting a target printer (e.g. [0018]-[0019], and fig. 1); viewing characteristic of the document on the target home page (e.g. claims 10 and 26); determining the amount of time required for the target printer to print the document (e.g. claim 8); and printing the document (e.g. fig. 1 and claim 24) , Lenz et al. does teach selecting a printer (e.g. [0018]-[0019], and fig. 1), but Lenz et al. does not teach or suggest selecting another target printer to print the

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document if the time required for the first printer to print the document is not acceptable. However, Streefkerk et al. (in the same filed of endeavor, "network printing") teaches that it is well known in the art at the time of the invention to select another target printer to print the document if the time required for the first printer to print the document is not acceptable by viewing processing timing using different printers (e.g. abstract, col. 2, line 66 thru col. 3, line 27, col. 5, lines 19-25, col. 6, lines 41-52, or claim 18). Therefore, it would have been obvious to one of ordinary skill in the art to provide the selecting step of Lenz et al. with the selecting steps to select another printer as suggested by Streefkerk et al. because of the following reasons: 1) to allow the system of Lenz et al. to direct a print job to another printer capable of processing the job quicker; 2) will allow the system of Lenz et al to view the timing using different printers, and allowing the user to select the printer having the more appropriate processing time; and 3) as suggested by Streefkerk et al. in col. 2, line 66 thru col. 3, line 27.

With regard to claim 2, Lenz et al teaches wherein said the step of: document selecting is further comprised of the step of composing a document to be printed (inherently reads on the ability of the PC 18,32 to create or compose a document to be printed).

With regard to claim 3, Lenz et al further teaches obtaining a target image from a first web site (reads [0024]-[0026], that depicts how data can be stored in a website and updated).

With regard to claim 4, Lenz et al further teaches viewing a print preview image (e.g. [0037], that allow the user to view at anytime before printing).

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With regard to claim 5, Lenz et al further teaches viewing said document to be printed and determining a number of copies of said document to be printed (e.g. [0024]-[0027]); and interacting with said target printer (e.g. [0025],[0026] and [0036]).

With regard to claim 6, Lenz et al further teaches employing a browser located substantially within a computer (e.g. [0007],[008],[0032] and [0038]; establishing a connection between browser and a server located substantially on a printer; and interacting between browser and said server (e.g. [0032]-[0035]) .

With regard to claims 7-8, the limitations of claims 7-8 are covered by the limitations of claims 1,3 and 6 above; and Lenz et al further teaches the second computer (see fig. 1).

With regard to claim 9, Lenz et al further teaches showing a preview of said characteristics of said document on a target printer home page (e.g. [0037] and claim 10 & claim 26).

With regard to claims 10-11, Lenz et al further teaches providing an indication from said target printer as to the amount of time required for said printer (or printer home page) to complete said printing of said document (e.g. claims 4, 8,9,, and 26).

With regard to claims 12-16, Lenz et al further teaches calculating amount of time required to print said document on said target printer and the display for displaying. (e.g. claim 8, inherently teaches the data has to be display using a monitor or computer display, also, the light means read on the image displayed).

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With regard to claim 17, the limitations of claim 17 are covered by the limitations of claim 1 above; and Lenz further teaches determining if the target printer can print said document in a desired time period (e.g. inherently reads on claims 8-9, by knowing the start time and the completion time a desired completion time can be calculated).

Conclusion

3. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment to the independent claims.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (571) 272-7434. The Examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The fax phone number for this group is (571) 273-8300.

On July 15, 2005, the Central FAX Number will change to 571-273-8300. This new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus.

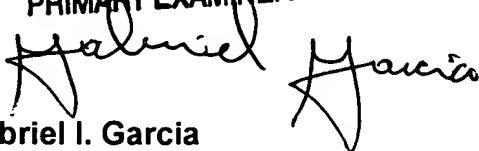
Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number. To give customers time to adjust to the new Central FAX Number, faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005. After September 15, 2005, the old number will no longer be in service and 571-273-8300 will be the only facsimile number recognized for "centralized delivery".

CENTRALIZED DELIVERY POLICY: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

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GABRIEL GARCIA
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Gabriel Garcia', written over the printed name and title.

Gabriel I. Garcia
Primary Examiner
September 26, 2005